

RESOLUTION NO. 2008-1804

**A RESOLUTION OF THE TOWN COMMISSION OF
THE TOWN OF SURFSIDE, FLORIDA,
APPROVING AN AGREEMENT BETWEEN THE
TOWN OF SURFSIDE AND THE DEPARTMENT OF
ENVIRONMENTAL PROTECTION TO PROVIDE
FINANCIAL ASSISTANCE FOR THE TOWN OF
SURFSIDE TREATMENT TRAINS AND
REHABILITATION PROJECT; AND PROVIDING
AN EFFECTIVE DATE**

WHEREAS, the Town Commission is concerned about the environment and recognizes that Total Maximum Daily Loads ("TMDL") are approaching; and

WHEREAS, the Town of Surfside ("Town") is undertaking a stormwater project to address pollution concerns in Biscayne Bay and to relieve flooding in low lying areas of the Town; and

WHEREAS, the State of Florida Department of Environmental Protection ("DEP") is prepared to provide financial assistance to the Town; and

WHEREAS, in order to receive financial assistance, DEP requires that the Town enter into an agreement with DEP;

WHEREAS, in order to meet the January 25, 2008 deadline on DEP's grant, the Town Manager signed DEP's grant application on behalf of the Town, contingent on the Town Commission's approval;

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION
OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:**

Section 1. Recitals Adopted. That each of the above stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Agreement Approved. DEP Agreement No. S0374 between the Town and DEP attached hereto as Exhibit "A" be, and the same is, hereby approved and the Town Manager is hereby authorized to execute the Agreement, on behalf of the

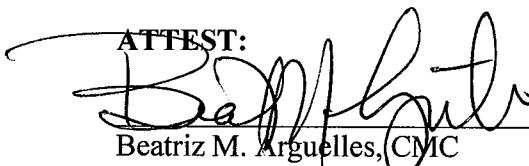
Town, once approved as to form and legal sufficiency by the Town Attorney. The terms of said Agreement, however, shall be made retroactive to January 25, 2008.

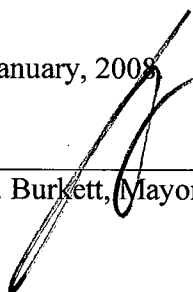
Section 3. Implementation. The Town Manager is hereby authorized to take all action necessary to implement this Resolution and the Agreement in accordance with the terms, conditions and purposes of this Resolution and the Agreement.

Section 4. Effective Date. This Resolution shall be effective immediately upon adoption.

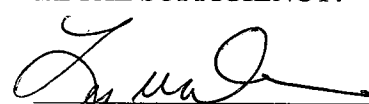
PASSED AND ADOPTED this 30th day of January, 2008

ATTEST:


Beatriz M. Arguelles, CMC
Town Clerk


Charles W. Burkett, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


Lynn M. Dannheisser, Town Attorney